



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,849	01/20/2004	Kuldeep Jain	871.0119.U1(US)	3072

29683 7590 06/09/2010
HARRINGTON & SMITH
4 RESEARCH DRIVE, Suite 202
SHELTON, CT 06484-6212

EXAMINER

PATEL, DHAIRYA A

ART UNIT	PAPER NUMBER
----------	--------------

2451

MAIL DATE	DELIVERY MODE
-----------	---------------

06/09/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/761,849	Applicant(s) JAIN ET AL.	
	Examiner Dhairya A. Patel	Art Unit 2451	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 24 May 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: NONE.
 Claim(s) objected to: NONE.
 Claim(s) rejected: 1-10, 13-22 and 25-40.
 Claim(s) withdrawn from consideration: NONE.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

/John Follansbee/
 Supervisory Patent Examiner, Art Unit 2451

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed on 5/24/2010 have been fully considered and entered but are deemed non-persuasive.

As per remarks, Applicant stated the following:

A). Applicant states the none of the references disclose "the mobile station assigning an internet protocol address to the computing device and an internet protocol address to the mobile station".

As per remark A, Examiner respectfully disagrees with the applicant because in column 5 lines 44-47, Dorenbosch states setting up or initiating the first IP connection by informing the gateway of the first IP address. Preferably this is done by the first station (i.e. mobile station). The gateway using first IP address for station B through the cellular network. Examiner would like to point out that first station does the step of assigning IP address on the gateway. Gateway in this case is just informed of the first IP address being assigned. Therefore Dorenbosch teaches the claimed limitation that mobile station assigning IP address to the computing device.

Examiner stated in the office action that Dorenbosch and Phillips does not teach assigning internet protocol address to the mobile station. Bright teaches assigning internet protocol address to the computing device (column 4 lines 60-65)(column 10 lines 7-18, lines 29-31) and assigning internet protocol address to the mobile station (column 4 lines 60-67)(column 10 lines 5-6) Bright also teaches communication between the mobile station and the computing device occur over the internet protocol connection using the local interface and where the local interface is at least one of a short range infrared, universal serial bus, and Bluetooth interface (column 4 lines 65-67). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Bright's teaching in Dorenbosch and Phillips teaching to come up with assigning IP address to the computing device and the mobile station and communicating between mobile station and computing device using Bluetooth interface. The motivation for doing so would be to establish a link between the mobile station and the computing device therefore computing device can access internet through the mobile station, by communicating with the mobile station through Bluetooth

B). Applicant states none of the reference teaches "the initiation of the set up of the internet protocol connection comprising receiving a command from the computing device over a local interface between the mobile station and the computing device.

As per remark B, Examiner respectfully disagrees with the applicant because in column 6 lines 4-16, column 9 lines 10-18, column 17 lines 25-35, Dorenbosch teaches initiating the first internet protocol connection between the first station (mobile station) through gateway and to the second station (computing device) by using the first IP address where the gateway does address translation and protocol translation, SCTP to and from TCP/UDP and relays the packet data to and from second station (IP connection between a mobile station and a computing device). In column 9 lines 10-18, and Fig. 2, it can be seen that IP connection terminates at the mobile station since there is no other connection after that. Therefore, Dorenbosch teaches the claimed limitations.

C). Applicant states Dorenbosch does not disclose "an internet protocol connection using a local interface between mobile station and computing device, where the local interface is at least one of short range infrared, USB or bluetooth interface.

As per remark C, Examiner respectfully disagrees with the applicant because in column 4 lines 49-61, Dorenbosch states where communication between the mobile station and the computing device occur over the internet protocol connection using the local interface and where the local interface is at least one of a short range infrared, universal serial bus, and Bluetooth interface (column 4 lines 49-61).. Furthermore, In column 4 lines 37-41, Dorenbosch teaches the second IP connection using second IP address for the router via a basic service set, thus wireless IP access point. Furthermore, that IP connection via cellular system and another (i.e. second station) via a wireless IP access point according to various known standards and technologies such as HiperLan, Bluetooth. Therefore Dorenbosch teaches the claimed limitations.

D). Applicant states Bright does not disclose that an IP connection is initiated and established over local interface between mobile station and the computing device.

As per remark D, Examiner respectfully disagrees with the application because in column 4 lines 65-67, it states IP address assigned to the computer is available to the cellular telephone since it is in communication with computer by cable/wireless (bluetooth/infrared) interface. Therefore this is the local interface between mobile station and the computing device i.e. computer. Therefore Bright teaches the claimed limitations.